

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
WOODY ALLEN,	:
	:
Plaintiff,	:
	:
-- against --	:
	:
AMERICAN APPAREL, INC.,	:
	:
Defendant.	:
	:
-----X	

Civil Action No. 08 CV 3179 (TPG) (KNF)

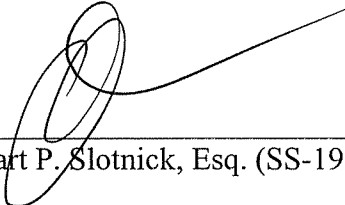
**DECLARATION OF STUART P.
SLOTNICK IN SUPPORT OF
DEFENDANT'S MOTION TO BAR THE
REPORT AND TESTIMONY OF
PLAINTIFF'S EXPERT RICHARD
HERSH**

I, STUART P. SLOTNICK, declare under penalty of perjury that the following is true and correct:

1. I am a shareholder with Buchanan Ingersoll & Rooney PC, counsel to Defendant American Apparel, Inc. ("Defendant"). I am admitted to practice in the State of New York and I am a member of the Bar of this Court.
2. This Declaration is filed in support of Defendant's Motion to Bar the Report and Testimony of Plaintiff's Expert Richard Hersh and a true and correct copy of the following exhibits is attached hereto:
3. Exhibit A is a copy of the Report of Richard Hersh in Rebuttal to Report of Peter Sealey.
4. Exhibit B is a copy of the curriculum vitae of Dr. Peter Sealey.
5. Exhibit C is a copy of documents produced by Mr. Allen's management company, MBST, and bates labeled MBST 73-75.
6. Exhibit D is a copy of documents produced by Mr. Allen's management company, MBST, and bates labeled MBST 128-129.

7. Exhibit E is a copy of excerpts from the deposition of John Burnham, Mr. Allen's agent.
8. Exhibit F is a copy of an article entitled "Bring It On!"
9. Exhibit G is a copy of an article entitled "American Apparel Senior Partner Dov Charney honored for humanitarian efforts."
10. Exhibit H is an article entitled "Los Angeles Entrepreneurs Named Ernst & Young Entrepreneur of the Year 2004 Award Recipients."
11. Exhibit I is an article entitled "American Apparel's Dov Charney sees how far his knit empire will stretch."
12. Exhibit J are copies of accolades or awards American Apparel or Mr. Charney have received.
13. Exhibit K is a copy of excerpts from Proxy Statement to Endeavor Acquisition Corp. stockholders dated November 28, 2007.
14. Exhibit L is a copy of excerpts from the deposition of Woody Allen.
15. Exhibit M is a copy of the Expert Report of Mark A. Roesler, Esquire.

Dated: New York, New York
May 11, 2009



Stuart P. Slotnick, Esq. (SS-1964)